

Senate Bill No. 711

CHAPTER 86

An act to amend Sections 32228.1 and 32239.5 of, and to amend the heading of Article 3.6 (commencing with Section 32228) and Article 3.8 (commencing with Section 32239.5) of Chapter 2 of Part 19 of, the Education Code, to repeal Sections 8 and 9 of Assembly Bill 1660 of the 1999–2000 Regular Session, and to amend Section 7 of Assembly Bill 1661 of the 1999–2000 Regular Session, relating to governmental functions.

[Approved by Governor July 12, 1999. Filed with
Secretary of State July 12, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

SB 711, Burton. Governmental functions.

(1) Legislation pending before the Governor would make various provisions for the prevention of school violence.

This bill would revise the designation of those provisions.

(2) Legislation pending before the Governor would make findings and declarations with regard to the federal decennial census and state the intent of the Legislature to increase participation in the 2000 federal decennial census.

This bill would prevent the operation of and would repeal these provisions.

(3) Legislation pending before the Governor would create the California Complete Count Committee relating to federal decennial census.

This bill would delete the authority to establish this committee.

(4) Legislation pending before the Governor would prohibit counties from receiving certain local assistance funds unless certain conditions are complied with.

This bill would correct erroneous cross-references in that provision.

(5) Existing federal law provides for the conduct of a decennial census of the population of every state.

This bill would request the Governor to appoint a task force to make recommendations on how to maximize the number of Californians counted in the 2000 census and to implement a census outreach program.

The people of the State of California do enact as follows:

SECTION 1. The heading of Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of the Education Code, as

added by Assembly Bill 1113 of the 1999–2000 Regular Session, is amended to read:

Article 3.6. Carl Washington School Safety and Violence
Prevention Act

SEC. 2. Section 32228.1 of the Education Code, as added by Assembly Bill 1113 of the 1999–2000 Regular Session, is amended to read:

32228.1. (a) The Carl Washington School Safety and Violence Prevention Act is hereby established. This statewide program shall be administered by the Superintendent of Public Instruction, who shall provide funds to school districts serving pupils in any of grades 8 to 12, inclusive, for the purpose of promoting school safety and reducing schoolsite violence. As a condition of receiving funds pursuant to this article, an eligible school district shall certify, on forms and in a manner required by the Superintendent of Public Instruction, that the funds will be used as described in this section.

(b) From funds appropriated in the annual Budget Act or any other measure, funds shall be allocated to school districts on the basis of enrollment of pupils in grades 8 to 12, inclusive, for any one or more of the following purposes:

(1) Providing schools with personnel, including, but not limited to, licensed or certificated school counselors, school social workers, school nurses, and school psychologists, who are trained in conflict resolution. Any law enforcement personnel hired pursuant to this article shall be trained and sworn peace officers.

(2) Providing effective and accessible on campus communication devices and other school safety infrastructure needs.

(3) Establishing an in-service training program for school staff to learn to identify at-risk pupils, to communicate effectively with those pupils, and to refer those pupils to appropriate counseling.

(4) Establishing cooperative arrangements with local law enforcement agencies for appropriate school-community relationships.

(5) For any other purpose that the school or school district determines that would materially contribute to meeting the goals and objectives of current law in providing for safe schools and preventing violence among pupils.

SEC. 3. The heading of Article 3.8 (commencing with Section 32239.5) of Chapter 2 of Part 19 of the Education Code, as added by Assembly Bill 1113 of 1999–2000 Regular Session, is amended to read:



Article 3.8. Machado School Violence Prevention and Response
Task Force

SEC. 4. Section 32239.5 of the Education Code, as added by Assembly Bill 1113 of the 1999–2000 Regular Session, is amended to read:

32239.5. (a) This article shall be known, and may be cited, as the Machado School Violence Prevention and Response Act of 1999.

(b) A School Violence Prevention and Response Task Force is hereby established, which shall consist of the following members:

(1) The Superintendent of Public Instruction, the Attorney General, the Director of the Office of Criminal Justice Planning, and the Secretary for Education shall be ex officio voting members of the School Violence Prevention and Response Task Force, and shall serve as cochaIRS of the task force.

(2) Twelve members representing educators, health care practitioners, and members of the law enforcement community, each with expertise in school-based crisis prevention and response appointed as follows:

(A) The Director of the Office of Criminal Justice Planning and the Attorney General shall each appoint three members to the task force. These appointments shall include representatives of the law enforcement and victims' services community. These appointments may include persons with expertise in juvenile justice, gang violence prevention, juvenile probation, victim assistance programs, crisis management, or academic experts in criminology or juvenile delinquency.

(B) The Superintendent of Public Instruction and the Secretary for Education shall each appoint three members to the task force. These appointments shall include representative of the education and health care practitioner communities. These appointments may include classroom educators, school administrators, school counselors, school psychologists, parents, pupils, mental health providers, or academic experts in child development or violence prevention.

(c) The members of the task force may not receive a salary for their services but shall be reimbursed for their actual and necessary travel and other expenses incurred in the performance of their duties.

(d) The task force shall do all of the following:

(1) Analyze and evaluate current statutes and programs in the area of school-based crisis prevention and response.

(2) Make appropriate policy recommendations on how to enhance state and local programs and training to adequately prepare school districts and county offices of education to meet the challenges stemming from disruptive and violent acts, or both, on or near school campuses. These recommendations shall include a discussion

regarding the manner in which the recommendations may be implemented within existing resources.

(3) Suggest methods for training school personnel on how to recognize risk indicators for pupils that could eventually lead to violence. These suggested methods shall include how to refer pupils to trained personnel, such as school psychologists, counselors, mental health providers, or other designated appropriate staff.

(4) Hold at least two public meetings.

(5) Report its findings and policy recommendations to the Legislature and the Governor on or before April 10, 2000.

(e) Each of the cochairs shall have the authority to convene subcommittee meetings. However, any findings or recommendations made by a subcommittee, or by any of the other members of the task force, shall be approved by at least three of the four voting members of the task force in order to be incorporated in the report described in paragraph (5) of subdivision (c).

(f) The Office of Criminal Justice Planning shall make staff resources available to the task force.

SEC. 5. Section 8 of Assembly Bill 1660 of the 1999–2000 Regular Session shall not become operative and is repealed.

SEC. 6. Section 9 of Assembly Bill 1660 of the 1999–2000 Regular Session shall not become operative is repealed.

SEC. 7. Section 7 of Assembly Bill 1661 of the 1999–2000 Regular Session is amended to read:

Sec. 7. For purposes of allocating one-half of the moneys appropriated by Item 9210-118-0001 of the Budget Act of 1999, all of the following apply:

(a) A county is prohibited from receiving any portion of the moneys unless the county complies with all of the following:

(1) No later than October 1, 1999, the county auditor reports to the Controller and the Director of Finance the total amount of ad valorem property tax revenue allocated from the county's Educational Revenue Augmentation Fund to school districts, community college districts, and county superintendents of schools for the 1998–99 fiscal year.

(2) The county board of supervisors adopts an ordinance or resolution that specifies each amount of ad valorem property tax revenue shifted from a local agency within the county to the county's Educational Revenue Augmentation Fund for the 1998–99 fiscal year, and the chairperson of the county board of supervisors reports those revenue shift amounts to the Controller and the Director of Finance in a manner that identifies the revenue shift amount for each local agency in the county.

(3) The county board of supervisors adopts an ordinance or resolution pursuant to which the county agrees to both of the following:

(A) The county will allocate its share of the appropriated moneys subject to this section in accordance with subdivision (c).

(B) The county will not, in connection with either paragraphs (1) or (2) of this subdivision or subdivision (c), make any claim for reimbursement of state-mandated local costs.

No later than December 1, 1999, the county board of supervisors shall transmit the ordinance or resolution adopted pursuant to this paragraph to the Director of Finance. The Controller shall promulgate guidelines for the making of reports as required by this subdivision.

(b) For each county that complies with all of the conditions set forth in subdivision (a), the Controller shall do both of the following:

(1) Perform the following calculations:

(A) Divide the amount reported by the county auditor in accordance with paragraph (1) of subdivision (a) by the total of all of the amounts reported by counties in accordance with paragraph (1) of subdivision (a).

(B) Divide the amount appropriated by Item 9210-118-0001 of the Budget Act of 1999 by two.

(C) Multiply the amount determined in accordance with subparagraph (A) by the amount determined in accordance with subparagraph (B).

For purposes of performing these calculations, the Controller shall review the information submitted by the county. If, consistent with information available from any other reliable source, the Controller determines that the information may be inaccurate, the Controller may request the Director of Finance to review the amount reported by the county in accordance with paragraph (1) of subdivision (a). The Director of Finance may direct the Controller to adjust the amount reported to the Controller by the county in accordance with paragraph (1) of subdivision (a). The Controller shall inform the county of any adjustment that is so made.

(2) No later than February 1, 2000, the Controller shall, from the appropriated revenues subject to this section, allocate to the county the amount determined for that county pursuant to paragraph (1).

(c) In each county that receives revenue in accordance with subdivision (b), the county auditor shall allocate that revenue to those local agencies among the county, and cities and special districts in the county, that contributed a positive amount to the county's Educational Revenue Augmentation Fund for the 1998-99 fiscal year. The allocation share for each recipient local agency shall be determined pursuant to the following calculations:

(1) Divide the amount of revenue shifted for the 1998-99 fiscal year from the local agency to the county's Educational Revenue Augmentation Fund by the total amount of revenue shifted for the 1998-99 fiscal year to the county's Educational Revenue

Augmentation Fund by all local agencies in the county contributing a positive amount to that fund.

(2) Multiply the ratio determined pursuant to paragraph (1) by the amount of revenues allocated to the county pursuant to paragraph (2) of subdivision (b).

SEC. 8. The Governor is hereby requested to appoint a task force to make recommendations on how to maximize the number of California's counted in the 2000 census and to implement a census outreach program.

